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Attorneys for United States of America

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 SAN FRANCISCO DIVISION  
12

13 UNITED STATES OF AMERICA,	)	NO. CR 17-403 EMC-2
	)	NO. CR 17-404 EMC-1
14 Plaintiff,	)	
	)	
15 v.	)	
	)	
16 ANGELITO VASQUEZ MALLARI, a/k/a	)	STIPULATION TO EXCLUDE TIME AND
17 "ALVIN,"	)	[PROPOSED] ORDER
	)	
18 Defendant.	)	

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19  
20 **STIPULATION**

21 IT IS HEREBY STIPULATED, by and between the parties to the above-referenced actions, as  
22 stated on the record at the status conference on November 29, 2017, that the time between November 29,  
23 2017, and January 10, 2018, be excluded under the Speedy Trial Act pursuant to 18 U.S.C.  
24 §§ 3161(h)(7)(A) and (h)(7)(B). Excluding such time will allow defense counsel the reasonable time  
25 necessary for effective preparation, taking into account the exercise of due diligence. *See* 18 U.S.C.  
26 § 3161(h)(7)(B)(iv).

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1 IT IS SO STIPULATED.

2 DATED: December 6, 2017

BRIAN J. STRETCH  
United States Attorney

3  
4 /s/  
JULIE D. GARCIA  
5 Assistant United States Attorney

6 DATED: December 6, 2017

7  
8 /s/  
GILBERT EISENBERG  
9 Counsel for Defendant  
ANGELITO VASQUEZ MALLARI

10  
11  
12 **~~PROPOSED~~ ORDER**

13 As explained on the record during the November 29, 2017, status conference, the Court finds that  
14 the exclusion of the period from November 29, 2017, to January 10, 2018, from the time limits  
15 applicable under 18 U.S.C. § 3161, is warranted; that the ends of justice served by the continuance  
16 outweigh the interests of the public and the defendant in the prompt disposition of this criminal case;  
17 and that the failure to grant the requested exclusion of time would unreasonably deny defense counsel  
18 the reasonable time necessary for effective preparation, taking into account the exercise of due diligence,  
19 and would result in a miscarriage of justice. *See* 18 U.S.C. § 3161(h)(7)(A) and (B)(iv). Such time is  
20 also excludable due to a delay caused by trial with respect to other charges against the defendant. *Id.*  
21 § 3161(h)(1)(B).

22 IT IS SO ORDERED.

23  
24 DATED: 12/18/17

